IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 1369 (S/S) of 2006

Bhola Dutt Semwal S/o Pandit Purshotam Dutt Semwal
R/o Near Janglat Bearer, Village & Post–Gangori
District– Uttarkashi ------- Petitioner

Versus

1. Union of India through its Secretary, Ministry of Home Affairs, New Delhi
2. The Director General of S.S.B. R.K. Puram, New Delhi
3. The Divisional Organiser, S.S.B. U.P. Division, Govt. of India Sewapuram Ganiadeoli, Ranikhet-263645 District Almora
4. The Area Organiser, S.S.B., Thekhala, District Uttarkashi

------- Respondents

WITH
Writ Petition No. 761 (S/S) of 2006

Atar Singh Negi S/o Late Shri Youdhbeer Singh Negi
Assistant Field Officer (M) Office of the Area Organiser, S.S.B.
Pilibhit at Laloni Khera ------- Petitioner

Versus

1. Union of India through its Secretary, Ministry of Home Affairs, New Dehli
2. Director General of S.S.B. R.K. Puram, New Delhi
3. The Divisional Organiser, S.S.B. U.P. Division, Govt. of India Sewapuram Ganiadeoli, Ranikhet-263645 District Almora
4. The Area Organiser, S.S.B., Uttarkashi, Pilibhit

-------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri M.S. Chauhan, learned counsel for the petitioner in both the writ petitions and Sri Arvind Vashistha, learned A.S.G. of India for the respondents in Writ Petition No. 1369 of 2006 and Sri Vikas Pandey, learned A.S.G. of India for the respondents in Writ Petition No. 761 of 2006.

Earlier a writ petition was filed by Sri Mohan Singh Bisht being Writ Petition No. 1304 (S/B) of 2002 for the same relief,

which has been prayed by the present petitioners. The facts and circumstances of that case of Sri Mohan Singh Bisht are the same as of present petitioners. This Court has already disposed of the writ petition of Mohan Singh Bisht and has settled the issue involved in the writ petition.

In Pursuance to the judgment of this Court dated March 9, 2006 in Writ Petition No. 1304 (S/B) of 2002, the Ministry of Home Affairs, office of the Director General Block V (East), R.K. Puram, New Delhi has already issued memorandum dated 10th April, 2007 and has clarified that *"Promotion before merger of scale shall be ignored for the purpose of grant of ACP in accordance with clarification against point No. 1 of DOP&T OM circulated on February 10, 2000.*

Therefore, all such ACP cases in respect of Para Medical Staff who fulfil the eligibility conditions as clarified in point No. 1 in the aforesaid OM of DOP&T may be considered immediately under intimation to all concerned.

This has the approval of DG, SSB."

Thus, from the above memorandum, it is clear that the grievance of the petitioners has already been settled and the respondents are directed to take necessary steps in respect of petitioners in accordance with the memorandum dated 10th April, 2007 within a period of six weeks from the date of production of a certified copy of this order.

With this direction, both the writ petitions are finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

05.07.2007
VKS